| Notice of Allowability | Application No. 10/682,572 | Applicant(s) CONLEY ET AL. | |
|---|---|---|---|
| | Examiner Hai V. Nguyen | Art Unit 2142 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *04 August 2005*.

2. ☒ The allowed claim(s) is/are *claims 46-62 which are renumbered as 1-17*.

3. ☒ The drawings filed on 09 February 2004 are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

KAMINI SHAH
PRIMARY EXAMINER

## *Reasons For Allowance*

1. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims are the inclusion of "Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Art received on 04 August 2005" and Applicant's cancellation of claims 18-45 and the new claims 46-62 presentation which are the original presentation of claims 1-17 (see Applicant's remarks filed on 04 August 2005); and the prior art of record, Allison et al. # 6,345,310 B1, Allison et al. # 6,393,457 B1, Hausman et al. # 5,485,584, Kuo et al. # 6,154,796 do not teach *an apparatus, comprising: a transmit buffer coupled to at least one transmit data line, the transmit buffer to receive data from a host computer and temporarily store the data before transmitting the data over the transmit data line to a physical link of a data network, a receive buffer coupled to at least one receive data line, the receive buffer to receive data from the physical link of the data network over the receive data line and to temporarily store the data before providing the data to the host computer; an array of communication registers; a data register of the array, the data register coupled to the receive buffer, wherein repeated reads from the data register causes data to be read from the receive buffer; and a status register of the array, the status register to store data identifying a collision of data on the physical link of the data network, the status register readable from the host computer, that status register also to store at least one bit signifying an interrupt state in at least one of a read and write option."* in combination as disclosed and claimed. The Examiner's interpretation of the claim language is based upon Applicant's response filed on 07/31/2003 (pages 12-15), and the enabling portions

of the specification, pages 6-8, 13-20). Therefore, Applicant's arguments are considered persuasive with regard to patentability of the instant claims.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. **Claims 46-62, which are re-numbered as 1-17** are allowed.

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142

HN

KAMINI SHAH
PRIMARY EXAMINER